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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Adney et al.

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Patterson Jr.,

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For:

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STATEMENT TO SUPPORT FILING AND SUBMISSION IN ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825

Commissioner For Patents P.O. Box 1450 Arlington, VA 22313-1450

Sir:

In connection with a Sequence Listing submitted concurrently herewith, the undersigned hereby states that:

- 1. the submission, filed herewith in accordance with 37 C.F.R. § 1.821(g), does not include new matter;
- 2. the content of the attached paper copy and the attached computer readable copy of the Sequence Listing, submitted in accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same; and
- 3. all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001

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of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patents resulting therefrom.

Date: May 28, 2004

Respectfully submitted,

X. Peter Chen

Lathrop & Gage L.C.